

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
NORTHEASTERN DIVISION**

VIC DEMONE HOUSTON,)

)

Petitioner)

)

v.)

)

Case No. 5:08-CV-01135-VEH-HGD

GARY HETCELL, Warden, and)

THE ATTORNEY GENERAL OF)

THE STATE OF ALABAMA,)

)

Respondents)

FINAL JUDGMENT

On February 11, 2009, the magistrate judge's report and recommendation was entered and the parties were allowed therein eleven (11) days in which to file objections to the recommendations made by the magistrate judge. On February 19, 2009, petitioner filed objections to the magistrate judge's report and recommendation.

After careful consideration of the record in this case, the magistrate judge's report and recommendation and the petitioner's objections thereto, the court hereby **ADOPTS** the report of the magistrate judge. The court further **ACCEPTS** the recommendations of the magistrate judge and it is, therefore,

ORDERED, ADJUDGED, and DECREED that the petition for writ of habeas corpus in this action be and the same hereby is **DENIED**. Petitioner's Motion for Summary Judgment also is **DENIED**.

DONE this the 26th day of February, 2009.

A handwritten signature in black ink, appearing to read "V. Emerson Hopkins", written over a horizontal line.

VIRGINIA EMERSON HOPKINS
United States District Judge